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TRANSMITTAL			Application Number		10/780,804	
FORM			Filing Date		2/18/2004	
(to be used for all correspondence after initial filing)			First Named Inventor		Backes	
			Group Art Unit			
			Examiner Name		Not yet known	
Total Num	ber of Pages in This Sub	mission	Attorney Docket Nu	mber	160-029	
		ENCLOSURES	(check all that app	ly)		
Fee Transm	ittal Form	Assignr (for an	ment Papers Application)		After Allowance Communication to Group	
Fee A	Attached		g(s) and letter		Appeal Communication to Board of Appeals and Interferences	
Amendment		Licensi	ng-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
. After	Final	Petition			Proprietary Information	
Affida	vits/declaration(s)		to Convert to a nal Application		Status Letter	
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Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53			ease charge any deficier ecount No. 502569.	ncy or cr	redit any overpayment to Deposit	
			CANT, ATTORNEY, O	OR AGE	NT	
Firm or Individual name	Mary Steubing, Reg Steubing McGuinne		LP		_	
Signature	Mary L	tuling				
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit:

Examiner:

Applicant(s): Backes

Serial No.: 10/780,804

Filed: 2/18/2004

Title: Apparatus for Selecting an Optimum

Access Point in a Wireless Network

Attorney Docket No.: 160-029

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## STATEMENT UNDER 37 CFR 1.97(e)

Dear Sir:

The undersigned hereby certifies that either:

- (X)Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- ( ) No item of information contained in the Information Disclosure Statement
  - -- was cited in a communication from a foreign patent office in a counterpart foreign application, and
  - -- to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

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Date of Deposit: 5-24-65

Typed Name: Christine M. Morrissette

Respectfully submitted,

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Date: 5/24/05

Telephone No.: 978-264-6664

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Substitute for form 1449A/PTO				Complete if Known		
INFORMATION DISCLOSURE				Application Number	10/780/804	
				Filing Date	2/18/2004	
STATEMENT BY APPLICANT			LICANT	First Named Inventor	Backes	
(use as many sheets as necessary)				Art Unit		
				Examiner Name	Not yet known	
Sheet	11	of	1	Attorney Docket Number	160-029	

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	I	US-5,493,694	02/20/1996	Vicek et al.			
		US-6,266,537	07/24/2001	Kashitani et al.			
		US-2004/0054767	03/18/2004	Karaoguz et al.			
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FOREIGN PATENT DOCUMENTS									
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Examiner Date Signature Considered

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